

REMARKS

In the Office Action, the Examiner rejected the claims under 35 USC §102 and 35 USC §103 and objected to the drawings. Replacement sheets including figures 1 and 2 are provided as requested by the Examiner. In addition, the claims have been amended to further clarify the subject matter regarded as the invention. Applicant reserves the right to introduce claims of the same or a similar scope in a subsequent continuation application. In addition, claims 51-78 have been added. Claims 1-78 are now pending. The rejections are fully traversed below.

Reconsideration of the application is respectfully requested based on the following remarks.

REJECTION OF CLAIMS UNDER 35 USC §102

In the Office Action, the Examiner rejected claims 1, 3, 6-38, 40-44, 46-48, and 50 under 35 USC §102 as being anticipated by Dewkett et al, U.S. Patent No. 5,646,676 ('Dewkett' hereinafter). This rejection is fully traversed below.

The amended claims enable data to be transmitted across two different servers, a central server and a local server. The central server is connected to the local server via a first network, while the local server is connected to network devices such as set-top boxes via a second network. In this manner, on-demand transmission of data is supported. Dewkett fails to disclose such a system.

Dewkett relates to an interactive multimedia server system for providing on demand data. See title. It appears that the Examiner is referring to the host system CPU 101 and main memory 102 as the central server, and the combination of multimedia adapter 106 and disks 107 as the local server. As discussed with reference to FIG. 1, the multimedia adapter 106 combines the disk adapter 201 and network adapter 202 of the prior art system presented in FIG. 2. This combination is illustrated in further detail in FIG. 3.

Upon reviewing the specification of Dewkett, it becomes clear that only one server is illustrated. For instance, as shown in FIG. 1, CPU 101 is illustrated, but multimedia adapter 106 does not include a CPU. Furthermore, the host system including CPU(s) 101 and main memory 102 is connected to a host system memory bus and coupled to multimedia adapter(s) 106 via an I/O bus. Generally, a “bus” is generally understood to refer to technology that connects devices in a computer, such as a CPU, memory, and disks. Similarly, the term “I/O bus” is commonly used to refer to a path used to transfer data and control information between components of a single I/O subsystem. Thus, FIG. 1 illustrates a single computer in which multiple devices (e.g., disks, memory, CPUs, and multimedia adapters) are connected via buses. Accordingly, Dewkett fails to disclose two different servers, or more specifically a central and local server.

It is also important to note that system illustrated in FIG. 3 shows only one network, network 108. Since Dewkett discloses only one network, Dewkett fails to disclose or suggest implementing a system such as that claimed with two different networks. More specifically, Dewkett fails to disclose or suggest a local server connected to a central server via a first network. Similarly, Dewkett fails to disclose or suggest the local server connected to network devices (e.g., set-top boxes) via a second network. Accordingly, Applicant respectfully submits that Dewkett fails to anticipate the pending claims.

REJECTION OF CLAIMS UNDER 35 USC §103

In the Office Action, the Examiner rejected claims 3-5 under 35 USC §103 as being unpatentable over Dewkett in view of Kouloheris et al, U.S. Patent No. 5,915,094 (‘Kouloheris’ hereinafter). This rejection is fully traversed below.

The Examiner admits that Dewkett fails to disclose a compressed audiovisual data stream. The Examiner seeks to cure the deficiencies of Dewkett with Kouloheris.

It is important to note that Kouloheris does not disclose compression of data (e.g., for transmission), but rather utilizing disk storage efficiently by allocating disk space in units of

cylinders and storing the variable size stripes of video in packed format. See Abstract. In view of this and the above comments, Applicant respectfully submits that the cited art, taken separately or in combination, neither discloses nor suggests each of the elements of the pending claims.

In addition, the cited art teaches away from the claimed invention. More specifically, since Dewkett discloses a single server, Dewkett teaches away from implementing a two server system. It is also important to note that combining the cited references would not achieve the desired result accomplished by the claimed invention. For instance, combination of the references would merely result in a single server system for efficiently storing data. Therefore, combining the references would not result in a two server system supporting on-demand capability. Accordingly, Applicant respectfully submits that the pending claims are allowable over the cited art.

The dependent claims depend from one of the independent claims and are therefore patentable over the cited art for at least the same reasons. However, the dependent claims recite additional limitations that further distinguish them from the cited references. Hence, it is submitted that the dependent claims are patentable over the cited art. The additional limitations recited in the independent claims or the dependent claims are not further discussed as the above discussed limitations are clearly sufficient to distinguish the claimed invention from the cited art. Thus, it is respectfully requested that the Examiner withdraw the rejection of the claims under 35 USC §103(a).

If there are any issues remaining which the Examiner believes could be resolved through either a Supplemental Response or an Examiner's Amendment, the Examiner is respectfully requested to contact the undersigned attorney at the telephone number listed below.

Applicants hereby petition for an extension of time which may be required to maintain the pendency of this case, and any required fee for such extension or any further fee required in connection with the filing of this Amendment is to be charged to Deposit Account No. 50-0388 (Order No. NEV1P002).

Respectfully submitted,

BEYER, WEAVER & THOMAS, LLP

Elise R. Heilbrunn

Reg. No. 42,649

BEYER, WEAVER & THOMAS, LLP
P.O. Box 70250
Oakland, CA 94612-0250
(510) 663-1100